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13 NICOLE BROWN-BOOKER and
14 JANA OVERBO

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 NICOLE BROWN-BOOKER
18 and JANA OVERBO,

19 Plaintiffs,

20 v.

21 APPLE, INC.; DEKA
22 IMMOBILIEN INVESTMENT
23 GMBH, LLC; and DOES 1-10,
24 Inclusive,

25 Defendants.
26 _____/

CASE NO. C07-04397 SI
Civil Rights

**DECLARATION OF CELIA
McGUINNESS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ADMINISTRATIVE RELIEF THAT THE
PARTIES BE RELEASED FROM
GENERAL ORDER 56**

27 I, CELIA McGUINNESS, declare as follows:

28 1. I am an attorney licensed to practice in the courts of California and in
the United States District Court for the Northern, Eastern and Central Districts of
California, and have been in practice as an attorney for more than sixteen years.

2. On October 8, 2008, I sent an e-mail message to David Walsh and

1 Jeff Michalowski, counsel for defendant **Apple, Inc.**. I sent the e-mail in the
2 ordinary course of business through Microsoft Outlook to
3 davidwalsh@paulhastings.com and jeffmichalowski@paulhastings.com, which I
4 am informed and believe are the correct e-mail addresses for both men. I
5 enquired whether their client would stipulate to relief from General Order 56
6 under Northern District Local Rule 7-11.

7 3. Since October 8, 2008, I have checked my e-mail message in-box
8 several times per day. I am informed and believe that my e-mail system has been
9 functioning during this time because I have received numerous other e-mail
10 messages.

11 4. As of the date of this declaration, I have received no response to my
12 message from either Mr. Walsh or Mr. Michalowski.

13 5. On October 14, 2008, I phoned Mr. Walsh and asked him if he would
14 stipulate to being relieved from General Order 56. He told me that he had “no
15 objection in principle” to stipulating but wanted to talk to the mediator before
16 giving me an answer. As of the filing of this declaration he has not called me
17 back.

18 6. I am informed and believe that Mr. Walsh spoke with my co-counsel
19 Julie Ostil on October 14, 2008, as well. Based on what Ms. Ostil told me, I am
20 informed and believe that he did not mention relief from General Order 56 to her.

21
22 I declare the above statement to be true and correct to the best of my
23 knowledge except as to those matters averred upon information and belief; and as
24 to those matters I believe them to be true to the best of my ability; and so declare
25 under penalty of perjury and under the law of the State of California, on October
26 15, 2008, in the City of Oakland, California.

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Law Offices of Paul L. Rein

/s/ Celia McGuinness

CELIA McGUINNESS
Attorney for Plaintiffs
NICOLE BROWN-BOOKER and
JANA OVERBO